PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Distriction Parameter Distriction D	Applicant's or agent's file reference	FOR FURTHER ACTION		
PCT/JP2004/016643	P36197-P0			
International Patent Classification (IPC) or national classification and IPC Int. Cl. ### HO4L9/16 (2006.01), G11B20/10 (2006.01) Applicant Matsushita Electric Industrial Co., Ltd. 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of3sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a	International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
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□ W Certain observations on the international application				

Date of submission of the demand	Date of completion of this report
05 September 2005	08 February 2006
Name and mailing address of the IPEA/JP	Authorized officer
Japanese Patent Office	·
Facsimile No.	Telephone No.

TRANSLATION of Form PCT/IPEA409

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/JP2004/016643

		PCT/JP2004/016643
I. Ba	sis of the report	
1. Wit was fi	h regard to the language, this report is based on the international ap led, unless otherwise indicated under this item.	plication in the language in which i
	OMISSION	
which	h regard to the elements of the international application, this repe have been furnished to the receiving Office in response to an invita report as "originally filed" and are not annexed to this report):	ort is based on <i>(replacement sheets</i> tion under Article 14 are referred to
\boxtimes	the description: pages 1-5,13-20, as originally filed/furnish pages 6-12, received by this Authori	
X	the claims: Nos. <u>1-6</u> , received by this Authority on <u>05 S</u>	eptember 2005
<u>×</u>	the drawings: pages <u>1-4</u> , as originally filed/furnished	
3. 🔀 ′.	The amendments have resulted in the cancellation of:	
\times	the claims, Nos7,8	
	OMISSION	
	·	
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/JP2004/016643

	···	101/012004/010043
V. Reasoned statement under Rule	e 12 (PCT Article 35(2)) with re-	gard to novelty, inventive step or
industrial applicability; citations and	l explanations supporting such st	catement
1. STATEMENT		
Novelty (N)	Claims 1-6	YES
	Claims NONE	NO
Inventive Step(IS)	Claims 3-6	YES
	Claims 1,2	NO
Industrial Applicability (IA)	Claims 1-6	YES
	Claims NONE	NO
O OTTLATIONIO AND TITOT AND THE		

2. CITATIONS AND EXPLANATIONS (Rule 70.7)

- Reference 1: JP 2003-115830 A (Victor Company of Japan, Ltd.), 18 April, 2003, Par. Nos. [0039], [0045]-[0047], [0055], [0060]-[0061] & US 2003/065925 A1 & EP 1300843 A2
- Reference 2: JP 2002-150698 A (Pioneer Electronic Corp.), 24 May, 2002, Par. Nos. [0001], [0003], [0004], [0042] & US 2002/054681 A1
- Reference 3: JP 2002-170336 A (Hitachi, Ltd.), 14 June, 2002, Par. Nos. [0025]-[0027] (Family: none)

The inventions according to Claims 1 and 2 have no inventive step in view of References 1 and 2. Reference 1 describes that a key is calculated on the basis of SEED that is written by a CPU and a media access unit number as a consecutive number that is assigned to each media access unit, and encryption and decryption is performed using the key. Reference 2 describes that an apparatus that performs scrambling, using random data that are generated as parallel data, for example by a 14-bit shift register, from an initial value which is selected from previously-prepared initial values on the basis of recording position information with respect to a disc, in which apparatus the initial value is set in the shift register, and the value set in the shift register is bit-shifted each time the random data are generated.

It is easy for a person skilled in the art to apply the invention as described in Reference 2 to the encryption and decryption in the invention as described in Reference 1. As it is a well-known matter that, in an encrypting device using a shift register, the initial value that is set in the shift register is used as a key, it is apparent to a person skilled in the art that, in an apparatus in which the invention as described in Reference 2 is applied to Reference 1, when the top of a media access unit is to be encrypted or decrypted, a key that is calculated based on the SEED and the media access unit number is set in the shift register as an initial value, and when other data are to be encrypted or decrypted, the value that is set in the shift register is bit-shifted and will be set in the shift register like the initial value.

Further, in the invention as described in Reference 2, the bit length of the parallel data is mere matter of design variation. The applicant says in the written reply that one byte of data are output in one cycle, but Reference 2 does not include such descriptions.

The inventions according to Claims 3 to 6 have novelty and inventive step. Constructions like the inventions as defined in these claims are not described in any of References 1 to 3, nor obvious to a person skilled in the art.

特許協力条約

PCT

特許性に関する国際予備報告 (特許協力条約第二章)

(法第 12 条、法施行規則第 56 条) [PCT36 条及びPCT規則 70]



I		
出願人又は代理人 の書類記号 P36197-P0	今後の手続きについては、様式P	CT/IPEA/416を参照すること。
国際出願番号 PCT/JP2004/016643	国際出願日 (日. 月. 年) 10.11.200	優先日 (日.月.年) 14.11.2003
国際特許分類(IPC) Int.Cl. H04L9/16('2006. 01), G11B20/10(2006. 01)	
出願人 (氏名又は名称) 松下電器産業株式会社		
囲及び/ 又は図面の用紙(Po	規定に従い送付する。 含めて全部で3 ている。 ベージである。 とされた及び/又はこの国際予備領 C T 規則 70.16 及び実施細則第 607	ページからなる。 筆音機関が認めた町正を今か明知典 第44の年
· · · · · · · · · · · · · · · · · · ·	に、電子形式による配列表又は配	(電子媒体の種類、数を示す)。 列表に関連するテーブルを含む。
□ 第Ⅳ欄 発明の単一性の欠数	の基礎 は産業上の利用可能性についての国 如 定する新規性、進歩性又は産業上の び説明	D原予備審査報告の不作成 D利用可能性についての見解、それを 褒 付
国際予備審査の請求書を受理した日 05.09.2005	国際予備審査報告	fを作成した日 02.2006
称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915	特許庁審査官(権中里 裕正	
東京都千代田区霞が関三丁目 4番3号		3581-1101 内線 3546

第 I 欄 報告の基礎		
1. 宮語に関し、この予備審査報告は以下		
□ 出願時の言語による国際出願	のものを基礎とした。	
		語に翻訳された、この国際出願の翻訳文
□ 国際調査 (PCT規則12.3(a) 及び23 1/5))	
国際公開 (PCT規則12.4(a))	
国際予備審査(PCT規則55	. 2(a) 又は55. 3(a))	
2.この報告け下記の出願事類を其味し、	the literature in the second	
た差替え用紙は、この報告において「は	た。 (佐第6条 (PCT14条) 出願時」とし、この報告に添わ	の規定に基づく命令に応答するために提出され
□ 出願時の国際出願書類		, , , , , , , , , , , , , , , , , , , ,
に、山隅時の国际山隅番類		·
☑ 明細書		
第 1-5,13-20	A ⁰ 25 HERRY - IR H	
第6-12	ページ、出願時に提出さ ページ* 2005 00 05	されたもの
第	ページ*、	付けで国際予備審査機関が受理したもの 付けで国際予備審査機関が受理したもの
☑ 請求の範囲		100 (国際) 個番重機関が受理したもの
第	項、出願時に提出さ	sh to t. o
第	項*、PCT19条a	り規定に基づき補正されたもの
第10	項*、 <u>2005. 09. 0</u> 5	付けで国際予備審査機関が再用したよの
	^{Ų*} 、	一 付けで国際予備審査機関が受理したもの
☑ 図面 第 1-4		
第_	ページ √図 、 出願時に提出さ ページ/図 *	れたもの
第	ページ/図 *、	村けで国際予備審査機関が受理したもの 付けで国際予備審査機関が受理したもの
□ 配列表又は関連するテーブル		
配列表に関する補充欄を参照す	ること。	·
		•
. 🗹 補正により、下記の書類が削除され	た。	
□ 明細書 第		~-:7
☑ 請求の範囲 第 <u>7.8</u>		項
□ 図面 第■ 配列表(具体的に記載すること)		ページ/図
□ 配列表に関連するテーブル(具体	S的に記載すること\	
一 三 小规件		
この報告は、備元値に示したように、えてされたものと認められるので、そ	この報告に添付されかつ以下 この補正がされなかったものと	「に示した補正が出願時における開示の範囲を超 こして作成した。 (PCT規則 70.2(c))
		^~~ <i>"</i>
図面 第		^垻 ページ/図
配列表(具体的に記載すること)		
「 ご 配列表に関連するテーブル(具体	的に記載すること)	
4. に該当する場合、その用紙に "supersede	ed"と記入されることがある。	

第V欄 新規性、進歩性又は産業上の利用可能性についての法第 12 条 (PCT35 条(2)) に定める見解、 それを裏付ける文献及び説明		
1. 見解		
新規性(N)	請求の範囲 1-6 請求の範囲	有
進歩性(IS)	請求の範囲 3-6	
	請求の範囲 1,2	無
産業上の利用可能性(IA) ·	請求の範囲 1-6 請求の範囲	

2. 文献及び説明 (PCT規則 70.7)

文献 1:JP 2003-115830 A (日本ビクター株式会社) 2003.04.18 第 39, 45-47, 55, 60-61 段落 & US 2003/065925 A1 & EP 1300843 A2

文献 2: JP 2002-150698 A (パイオニア株式会社) 2002.05.24 第 1, 3, 4, 42 段落 & US 2002/054681 A1

文献 3: JP 2002-170336 A (株式会社日立製作所) 2002.06.14 第 25-27 段落 (ファミリなし)

請求の範囲 1,2 に係る発明は、文献 1,2 により進歩性を有しない。文献 1 には、中央処理装置が書き込む SEEDと、メディアアクセスユニット毎に付与される連続的な番号であるメディアアクセスユニットナンバーとに基づいて鍵を算出し、当該鍵を用いて暗号化及び復号を行うことが記載されている。文献 2 には、予め用意した初期値からディスクに対する記録位置情報に基づいて選択した初期値から例えば 14 ビットのシフトレジスタを用いてパラレルデータとして発生したランダムデータを用いてスクランブルをするものにおいて、初期値をシフトレジスタに設定すると共にランダムデータを発生する毎にシフトレジスタに設定された値をビットシフトすることが記載されている。

文献2に記載された発明を文献1に記載された発明における暗号化及び復号に用いることは当業者にとって容易である。なおシフトレジスタを用いた暗号装置において、シフトレジスタに設定される初期値が鍵となることは周知の事項であるから、文献2に記載された発明を文献1に適用したものは、メディアアクセスユニットの先頭を暗号化あるいは復号するときにはSEED及びメディアアクセスユニットナンバーから算出した鍵を初期値としてシフトレジスタに設定し、それ以外のデータを暗号化あるいは復号するときにはシフトレジスタに設定された値がビットシフトにより初期値と同様にシフトレジスタに設定されるものとなることは当業者に明らかである。

また文献 2 に記載された発明においてパラレルデータのビット長をどのようなものとするかは 設計的事項にすぎない。出願人は答弁書にて 1 サイクルで 1byte のデータが出力されるものであ る旨を述べているが、文献 2 にそのような記載はない。

請求の範囲 3-6 に係る発明は、新規性・進歩性を有する。これらの請求項に係る発明のように構成することは文献 1-3 のいずれにも記載されておらず、当業者にとって自明なものでもない。